



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

OCT 17 2000

400 Seventh St., S.W.
Washington, D.C. 20590

DOT-E 4453
(NINTH REVISION)

EXPIRATION DATE: August 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Austin Powder Company
Cleveland, OH

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain Division 1.5D materials described in paragraph 6 below contained in a non-DOT specification bulk, hopper-type tank. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101, Column (8C), § 173.62, § 176.83 and § 176.415 except as specified herein.
5. BASIS: This exemption is based on the application of Austin Powder Company dated September 11, 2000, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Explosive, blasting, type B or Agent, blasting, Type B	1.5D	UN0331	II
Ammonium nitrate-fuel oil mixture containing only prilled ammonium nitrate and fuel oil	1.5D	NA0331	II

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Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Explosive, blasting, type E or Agent, blasting, Type E	1.5D	UN0332	II

7. PACKAGING AND SAFETY CONTROL MEASURES: Packagings prescribed are hopper-type aluminum tanks, which may be equipped for pneumatic unloading. Units must conform to the description given in Sierra Chemical Company's letter of November 9, 1972 or in brochures published by Sudenga Industries, Inc., Georgia, Iowa; I&M Equipment Corporation; Ripco, Inc.; Sprout-Waldron & Company; or in conformity with Trailmobile Company Drawings B-832-3385 modified in accordance with Trailmobile's letter dated September 21, 1965 and B1810-4, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Use of vehicles built by Amerind, Inc., is also authorized, provided the units are structurally similar to the vehicles covered by DOT-E 5206. Also authorized are: Fontane Truck Equipment units described in Austin Powder Company's application; Butler Manufacturing Company's units identified as Models 1025, 1200 and Model 1500 as shown in Dwg B-910553; Fruehauf Hopper Pressure Bulk Haul Tank Trailer model HABF2J. Descriptions and drawings of all these units are on file with the OHMEA. Other units specifically identified to, and acknowledged in writing by OHMEA prior to the first shipment are also authorized.

8. SPECIAL PROVISIONS:

a. The bulk blasting agent may not remain in the vehicle for any time period that could result in caking. The equipment must be cleaned frequently enough to assure against any accumulation of product or its packing.

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident. A copy of written instructions must be provided to the masters of cargo vessels used to transport bulk blasting agents under this exemption.

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c. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

d. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

e. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

f. MARKING - Each motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background "DOT-E 4453".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

b. For transportation by cargo vessel:

(i) The motor vehicles must be stowed "on deck only".

(ii) The blasting agents must be segregated from other hazardous materials in accordance with the requirements for Division 1.5D Explosives. In addition, the blasting agents must be stowed "separate from" non-regulated readily combustible materials, as defined in § 176.83(d).

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(iii) The motor vehicles must be stowed in a readily accessible location which can be reached by at least two streams of water from separate fire hydrants or if carried on an unmanned barge by an effective stream of water from a vessel alongside.

(iv) Before packages covered by this exemption are loaded on or discharged from a vessel at any place in United States, the carrier must obtain a permit from the Coast Guard Captain of the Port. A copy of this exemption must be provided to the Captain of the Port when requesting a permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any

activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



For Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

OCT 17 2000

(DATE)

Address all inquiries to: Associate Administrator for
Hazardous Materials Safety, Research and Special Programs
Administration, Department of Transportation, Washington, D.C.
20590.
Attention: DHM-31.

The original of this exemption is on file at the above office.
Photo reproductions and legible reductions of this exemption
are permitted. Any alteration of this exemption is
prohibited.

PO: sdc

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Company Name City/State	Application Date	Issue Date	Expiration Date
Evenson Explosives, LLC Morris, IL	10/26/00	11/17/00	8/31/02
Golden State Explosives Plymouth, CA	10/12/00	11/17/00	8/31/02
Hale Supply Company dba Bennett Explosives, Inc. Manchester, IA	10/16/00	11/17/00	8/31/02
Hilltop Energy, Inc. Lisbon, OH	10/10/00	11/17/00	8/31/02
Intermountain West Energy, Inc. Boise, ID	2/9/01	2/12/2001	8/31/02
Jerico Service, Inc. Indianola, IA	10/2/00	10/25/00	8/31/02
Kentucky Powder Company Lexington, KY	9/5/00	9/22/00	8/31/02
Kintex, Inc. Madisonville, KY	11/1/00	11/27/00	8/31/02
Ladshaw Explosives, Inc. New Braunfels, TX	10/25/00	11/17/00	8/31/02
Maurer & Scott Sales, Inc. Lehigh Valley, PA	10/12/00	11/17/00	8/31/02
Maynes Explosives Company Lee's Summit, MO	10/6/00	11/17/00	8/31/02
Mine Equipment & Mill Supply Company Dawson Springs, KY	10/6/00	11/17/00	8/31/02
Olson Explosives, Inc. Decorah, IA	9/26/00	11/17/00	8/31/02

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Alaska Pacific Powder Company Olympia, WA	9/1/00	9/22/00	8/31/02
American West Explosives Plymouth, CA	10/12/00	11/17/00	8/31/02
American East Explosives, Inc. Greenfield, MO	10/6/00	11/17/00	8/31/02
Binns & Stevens Explosives, Inc. Oskaloosa, IA	5/17/00 & 7/11/01	JUL 18 2001	8/31/02
Brandywine Explosives & Supply, Inc. Paris, KY	11/8/00	11/27/00	8/31/02
Buckley Powder Company of Oklahoma, Inc. Mill Creek, OK	9/22/00	10/17/00	8/31/02
Buckley Powder Company Englewood, CO	9/22/00	10/17/00	8/31/02
Cherokee Products, Inc. Jefferson City, TN	11/10/00	11/27/00	8/31/02
CONEX, Inc. Derby, IN	10/16/00	11/17/00	8/31/02
Dyno Nobel, Inc. Salt Lake City, UT	10/3/00	10/25/00	8/31/02
El Dorado Chemical Co. St. Louis, MO	10/26/00	11/17/00	8/31/02

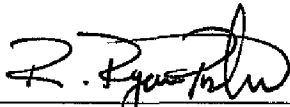
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Company Name City/State	Application Date	Issue Date	Expiration Date
Orica USA Inc. (formerly: Energetic Solutions) Englewood, CO	10/31/00	11/27/00	8/31/02
Quick Supply Company Des Moines, IA	10/16/00	11/17/00	8/31/02
R & R Trucking, Inc. Duenweg, MO	10/31/00	1/19/01	8/31/02
Senex Explosives, Inc., Cuddy, PA	2/14/01	3/5/2001	8/31/02
Slurry Explosives Corporation Columbus, KS	9/26/00	10/25/00	8/31/02
Tradestar Corporation, West Jordan, UT	1/2/01	1/25/2001	8/31/02
Viking Explosives & Supply Inc. Rosemount, MN	12/6/00	1/19/01	8/31/02
W. A. Murphy, Inc. El Monte, CA	10/24/00	11/17/00	8/31/02
Wampum Hardware Co. New Galilee, PA	10/24/00	11/17/00	8/31/02
Western Explosives Systems Company dba WESCO Salt Lake City, UT	10/2/00	10/25/00	8/31/02



Robert A. McGuire

for Associate Administrator for
Hazardous Materials Safety